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Comment:

I am concerned about orphaned works of computer software that become useless because their owners can't be found.

I recently was asked to help rescue into the open source software commons a technically interesting email system that had been orphaned by the bankruptcy of its owner. The bankruptcy trustee had no sense for the potential importance of the software. The company that survived had no intention of marketing that software yet it was afraid of potential liability if it gave it away. Nobody actually claimed the software as its own.

So here we have valuable intellectual property that nobody is willing to claim, without any provision in the law to free it from an invisible death. What a waste! Is this how to promote the progress of science?

When a copyright owner can't be found or is unwilling to claim the rights of ownership, what earthly benefit could there possibly be to keeping such works out of the public domain?